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THE FREE NEGRO IN ILLINIOS PRIOR
TO THE CIVIL WAR, 1818-1860

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THE FREE NEGRO IN ILLINOIS PRIOR TO THE

CIVIL WAR, 1818-1860

(TITLE)

BY

STEVEN J. SAVERY

THESIS

SUBMITTED IN PARTIAL FULFILLMENT OF THE REQUIREMENTS
FOR THE DEGREE OF

MASTER OF ARTS IN HISTORY

IN THE GRADUATE SCHOOL, EASTERN ILLINOIS UNIVERSITY
CHARLESTON, ILLINOIS

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THE FREE NEGRO IN ILLINOIS PRIOR TO THE CIVIL WAR

1818-1860

ABSTRACT

Free Negroes embodied one of the great dilemmas in the ante-bellum history of the state of Illinois. Nominally a free state, Illinois endeavored mightily to suppress, exclude, and dispose of a class of people who were the ultimate result of the anti-slavery movement. While a majority of Illinoisans deemed the peculiar institution undesirable, they had no intention of accepting free Negroes as equal citizens. Free blacks were often regarded as dangerous and a menace to the well-being of the entire society. Yet, Illinois reconciled its apparently contradictory views on slavery and the free Negro to a remarkable degree.

The reconciliation of the slavery and free Negro questions involved the use of a dual perception of blacks by whites. This dualism contained a theoretical and a practical plane as a modus vivendi, which allowed the citizens of Illinois to religiously support the United States Constitution and the Declaration of Independence, while simultaneously ignoring the documents' implications regarding free persons of color. In this manner, free Negroes were unapologetically relegated to a subservient role in a racial caste system.

Occasionally, the dichotomy was challenged. When this occurred, the theoretical and practical planes, normally split apart by a gulf of silence, were drawn together with disastrous consequences for the advocates of change. Among the victims of this phenomenon in Illinois were the American Colonization Society, the supporters of Article XIV in the Constitutional Convention of 1847, the Fugitive Slave Act of 1850, and the Negro Immigration Act of 1853. In addition, political catastrophe befell any office-seeker who attempted to exploit the attraction of the two planes for electioneering purposes. Clearly, discussions of altering the dichotomy were to be avoided at all costs.

This suppression, however, could not be sustained. By their very presence in Illinois, free Negroes provided the most visible and lethal opposition to the modus vivendi. This was done neither by sheer numbers nor by economic or political strength. Rather, free men of color contradicted the traditional concepts of democracy and republicanism not only in pre-Civil War Illinois, but in the entire nation. Inevitably, the dilemma which existed between theory and practice would have to be resolved, either by reason or force.

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INTRODUCTION

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THE FREE NEGRO IN ILLINOIS PRIOR TO THE CIVIL WAR
1818-1860

The idealistic perception of the United States being the world's lone great republic permeated the conscience of the fledgling country. The concept rested upon factors of egalitarianism and the homogeneity of the population. Such principles were sorely tried in the acid test of creating a workable federal constitution, particularly in the case of state representation in the new Congress with regard to the Negro. The resulting compromise settled on the three-fifths clause and an agreement to prohibit alteration of the foreign slave trade for twenty years. More astute observers like that great advocate of republican ideals, Thomas Jefferson, realized the ideological inconsistencies of the arrangement, noting that questions involving the peculiarity of slavery and the Negro would eventually resurface. Territorial expansion and the debates over the admission of new states with or without a provision for bondage in their constitutions guaranteed the continuation of the threat to the republican ideal.

A far greater disruptive challenge to the egalitarian aspect of republicanism, however, was posed by the presence of the free Negro. While equality did not imply a leveling of the society, it did include the concepts of social and economic mobility. The fortunes of every free man could either rise or fall according to his ability. At this precise point, however, racial prejudice intervened to block the continuity of theory and practice.

Physically different, Negroes could not easily blend into the prescribed homogeneous society. Slavery provided a practical, but hardly a perfect solution to this dilemma. As long as slaves were regarded as chattel property--the right to hold property being guaranteed by the Constitution itself--they posed no threat to the perception of the United States as a land of social and economic equality.

The free Negro presented an entirely different set of circumstances. He was not property; he was not an equal citizen. Republican ideology made no provision for such an anomaly. The resolution of this problem turned on the replacement of the concept of equality with that of freedom. If "equality" is subject to interpretation, "freedom" is an even more nebulous concept. Although the abstraction of freedom often

implies equality, in reality, freedom exists in varying degrees. Such a perception enabled a dual system to emerge that attempted to reconcile the differences between theoretical republicanism and its actual practice. On the theoretical level, all free male persons were equal regardless of color. Hence, the cherished republican ideal was preserved. Considering the racial views of the day, the second level involved the more practical use of a racial caste system which, if severely applied, rendered free Negroes to the position of virtual bondage. These two ideologically contradictory planes were separated by silence. Any attempt to pull them together and closely examine their inconsistencies could prove most disturbing indeed.

Scrutiny, however, proved unavoidable when dealing with the organization of new territories. The national government, in its only noteworthy accomplishment under the Articles of Confederation, created the Northwest Territory by the Ordinance of 1787. This document prohibited slavery and involuntary servitude in the area that included the future state of Illinois. By a strict construction of the anti-slavery provision, all Negroes in the territory were free with the temporary exception of those employed at the salt works near Shawneetown on the Ohio River. This freedom was merely

nominal, for not only did slavery exist in the Northwest Territory, but a group of laws was also enacted to reinforce the racial caste system regarding free Negroes. Although vestiges of bondage remained, once the area had been declared free, the issue could "scarcely be termed slavery." Rather, it had to "be approached as the negro question."¹

The question of the free Negro and its implications regarding the republican ideology can not be attributed to a large concentration of blacks in Illinois. The original French settlers had brought Negro slaves to Illinois in the mid-eighteenth century to work lead mines in the region along the Mississippi River in northwestern Illinois. Kaskaskia and other French towns also included populations of Negro slaves. After their defeat in the French and Indian War in 1763, many French slaveholders fled to Canada taking their human property with them. The victorious English continued the system of involuntary servitude and expanded the practice when saline springs were discovered in southeastern Illinois. After the American Revolution and Illinois statehood in 1818, small numbers of free Negroes were to be found in all three of these areas which became the counties of Jo Daviess, Randolph, St. Clair, and Gallatin.

Significantly, all of these counties bordered rivers. Gallatin was bounded by the Ohio River and the other three lay along the Mississippi River.

These nascent black populations were augmented by immigration from the South which generally flowed from south to north. Free Negroes were concentrated in the river counties along the Mississippi, the Ohio, and the Wabash Rivers. In 1820, 42 percent of Illinois free Negroes lived in the southern river counties of St. Clair, Randolph, and Gallatin (see Table 1). Over half of Illinois' 1840 free Negro population lived in these three counties, and a sizeable proportion of the state's free blacks remained in the southern river region in the ante-bellum era. This number declined to approximately a third in 1850 and 1860.

A majority of blacks, however, remained in the general area of southern Illinois. As settlement advanced toward the interior of the state, free Negroes formed a part of the inland migration. The south central counties of Morgan and Sangamon showed substantial increases in their black populations after 1840 (see Table 2). Their gains, though, could not compare with the spectacular figures registered in Cook County which contained the town of Chicago. The 1860

federal census recorded over a thousand free persons of color in this northeastern county. Knox County, containing Galesburg, and Jo Daviess County, with the Mississippi River port of Galena, were the only other northern areas to record significant counts of free Negroes. For the two decades prior to 1860. Even though the number of blacks in these three northern counties rose from 5 percent to 18 percent of the aggregate Illinois colored population, at no time did the northern total approach that of the lower half of the state.

Throughout Illinois, free Negroes tended to gravitate toward more populated areas. A variety of factors influenced this phenomenon including the principle of finding safety in numbers.² In addition, free blacks, "just as all elements which do not fit into the traditional social order, tended to become concentrated in cities."³ A comparison of towns and counties in 1860, further illustrates this point. Chicago, Jacksonville, and Galena all had over 85 percent of their counties' black populations. Over a half of Sangamon County's free Negroes lived in Springfield and over 45 percent of Gallatin County blacks resided in Shawneetown. This principle operated

even within some cities themselves. In Chicago, for example, 82 percent of the colored population in 1850 lived in the second ward and 72 percent were concentrated in two wards ten years later.⁴ The emergence of separate communities within the towns further reinforced the belief in the incapacity of free Negroes to blend into a homogeneous republican society.

Although the number of Illinois free colored persons increased for most of the forty years after statehood, Negroes hardly threatened to overrun the state. While the free Negro population rose by over a half from 1820 to 1850, in relation to the entire population, their proportion dropped from 4.99 percent in 1810 to less than one percent in 1850.⁵ The actual number of free Negroes could hardly account for the consternation which their residence engendered among the white inhabitants. As in the older states, the presence of several free black communities gave rise to questions of social and economic equality.⁶ Such queries led to an examination of the moral and practical dualism with the resulting outcome depending to a large extent, upon the various backgrounds of the white settlers.

Spanning over four hundred miles from the Wisconsin border in the north to Cairo on its southern tip, Illinois attracted pioneers from two distinct sections of the United States. Except for Galena with its economic ties to St. Louis, immigrants from the North, especially New England, populated the far northern reaches of the state. The middle portion of Illinois remained sparsely inhabited throughout the ante-bellum period and thus acted as a buffer between the Yankee northerners and the decidedly southern orientation of the pioneers in the lower part of the state. Settlers from the Upper South states of Virginia, Maryland, Tennessee, and Kentucky predominated in southern Illinois.⁷

Although transplanted on the western frontier, northern and southern pioneers retained much of their original sectional identities. This was especially evident in the different republican traditions that each group brought to Illinois. Hard work, social mobility, economic improvement, and opportunity for social advancement characterized the northern view of classical republicanism. While these factors were also present in the South, they were overshadowed by a certain deference to a ruling elite.

Economics played a crucial role in the differences between sectional perceptions of the republican ideology. The grain agriculture of the North facilitated freeholding and free labor. Thus, in the post-Revolutionary period, slave labor gradually disappeared. In addition, emancipation was indiscriminate; that is, bondsmen were often released without any skills to offer in a competitive free market economy.⁸ Together with prevailing racial prejudices, the resulting lack of employment spelled economic deprivation for free Negroes and ideological catastrophe for whites. Since northern freemen could find little or no work, they were perceived as lazy and a dangerous threat to the ideal republican work ethic, if not the entire republican way of life. A definite post-Revolutionary reaction existed which cast suspicion on all people who did not meet their individual republican responsibilities.⁹ Thus, the belief developed that free Negroes undermined republican virtues and corrupted the entire society. Such evil contaminants necessitated separation, segregation, and eventual exportation as a matter of the republic's survival.

In contrast to the North, slavery remained entrenched in the Upper South. First tobacco and then cotton required cheap and plentiful labor, thus ensuring the survival of the peculiar institution. In this economic milieu, freeholding and free labor suffered. Many of the Upper South's small farmers migrated to free territory in Illinois to escape the debilitating economic effects of slavery.¹⁰ In addition, the presence of an enslaved class tended to cause a stratification of southern society. Men of means tended to either hold slaves or to have indirectly profited by slave labor. This southern elite formed the educated and politically powerful ruling class in the South. Men of lesser standing deferred to the wealthier class in matters of social and civic importance, including the problem of the free Negro.

Whereas bondsmen were, for the most part, indiscriminately emancipated in the North, free Negroes existed together with slavery in the Upper South. These freemen too found work difficult to obtain which in turn led to white pronouncements of laziness and moral degradation. However, free blacks also created a fear among southerners that was much stronger and more

immediate in nature than among northerners.¹¹ The principle of egalitarianism supported by historical facts dictated that enslaved peoples would eventually rise up in bloody revolt against their oppressors. Free Negroes were viewed as the dreaded agents and agitators of such a revolt and thus became the hated pariah harbingers of an impending calamity. Whereas northerners envisioned an eventual threat to republican ideology, southerners feared for their very lives. Hence, the racial caste system had to be rigidly enforced in the hope of forestalling racial conflagration. While men from the Upper South shared the republican values of northerners, these values were tempered by the influence of slavery.

The two differing sectional views concerning the free Negro and republicanism were transplanted into Illinois. In general, Illinoisans regarded black freemen as an inferior and hopelessly degraded class. Beneath this common perception, however, lay an important and critical difference. Northerners objected to free Negroes on theoretical and abstract grounds; southern Illinoisans regarded the presence of free blacks as a direct threat to their lives and property, indeed, to the entire social order. Neither

the relatively minute free Negro population nor the termination of slavery in the 1840's mitigated these attitudes. Governor Edward Coles, the state's second chief executive, and an anti-slavery advocate, noted in 1824 that this point was particularly evident in the Illinois black laws. He observed that the laws were "a mere transcript of those of the southern states." While Coles understood the need for this legislation given the large population of Negroes in the South, he declared that Illinois had no need for such restrictions on free blacks.¹² Years later, Governor Thomas Ford, in his classic history of Illinois, suggested that the proportion of free Negroes living in the state had little to do with the restrictions imposed upon them. Just as there were obsolete hemp and tobacco regulations in the statute books even though neither of these southern crops was grown in Illinois, so also the southern black codes were transferred northward.¹³ The situation may have changed, but the racial attitudes did not.

Since Illinois was primarily settled by men from the Upper South, and the lower half of the state was settled first and contained most of the black population, the southern viewpoint greatly influenced

the manner in which black freemen were treated during the territorial and early statehood years. Although slavery was prohibited by the Northwest Ordinance, this stricture did little to diminish slaveholders' attempts to introduce the peculiar institution into the territory north of the Ohio River. Their efforts proved at least partially fruitful, for slaves already in the Illinois Territory were permitted to remain, while others could be brought in for specific periods of time. Not surprisingly, in conjunction with the southern fears of slave insurrections, free Negroes were prohibited from entering the territory by a law enacted in 1813.¹⁴ An entire code of restrictive laws existed before statehood in 1818. Clearly, free Negroes were unwanted and quite probably sorely abused. In a letter dated July 13, 1818, Abraham Camp, a black farmer living near the Wabash River, complained of the dualism exhibited by whites. He declared his loyalty to the high republican principles of the United States, but regretted that the ideals expressed in the Declaration of Independence did not apply to free persons of color. The only solution, he felt, was to emigrate to Liberia.¹⁵ This solution, of course, enabled whites to preserve their republican ideals by

simply exporting volunteering free blacks who could not mesh into the ideal homogeneous republican model.

Ultimately unsuccessful, colonization would be strongly advanced during the ante-bellum years.

In the meantime, Illinois citizens were grappling with the framing of a constitution to accompany their application for admission to the Union as the twenty-first state. The delegates to the Constitutional Convention of 1818 recognized that they were in a delicate position. The Ordinance of 1787 had laid the ground rules for statehood and prohibition of the peculiar institution was clearly specified. The convention reached a compromise that would be acceptable to anti-slavery men, yet preserve the inviolable protection against the black menace. The finished product of the convention's labors contained Article VI which was more notable for what it left unsaid than for its expressed contents. Slavery and involuntary servitude were prohibited, but nothing was said about voluntary service or indentures. Even more ominous was the constitutional silence on the status of free Negroes. Article XII reserved the vote for "white male inhabitants" only.¹⁶ Although most of the Constitution of 1818 gave the appearance of conforming to egalitarian republican

ideals, Articles VI and XII demonstrated the delegates' real intentions. Only the "gullible" and "optimistic" regarded the anti-slavery article as a sincere effort to resolve the problem.¹⁷ To Illinoisans of southern descent, the collapse of an entire system of social order was hardly the goal of the framers of the Constitution of 1818.

A year after Illinois' admission to the Union, the reason for the constitution's vagueness on the free Negro question became apparent. The General Assembly adopted a group of restrictive laws remarkably similar to, though not as harsh as, those pertaining to Negroes in the South. These black laws curtailed many of the freedoms associated with a republican society. Slaves, of course, lived under a code which limited movement, assembly, and various recreational and excitable activities such as dancing. The title of the original black law passed on March 30, 1819, revealed much about the status of free blacks in Illinois: "An Act Respecting Free Negroes, Mulattoes, Servants, and Slaves."¹⁸ The only common denominator in these four groups was race; free Negroes were equated with slaves. In future years, succeeding measures elaborated upon the 1819 black law, further curtailing the liberties of

free colored persons. Free Negroes could not sue for their liberty in Illinois courts; they could not serve on juries; they could act as witnesses against white men; and their right to hold property was severely restricted by custom.¹⁹ Of course, that ultimate iconoclast of social order and republican virtue, racial intermarriage, was strictly forbidden.²⁰ In addition, the vast majority of Illinois schools remained open to white children only throughout the ante-bellum period. Thus, free Negroes could neither fulfill their individual republican responsibilities nor were they offered any possibility of doing so in the future.

In the four decades between statehood and the Civil War, the Illinois black laws, surviving repeal attempts and court challenges, became even more restrictive. Black immigration in particular invited legislative improvements. In 1819, for example, only a certificate of freedom and good behavior were needed to gain entrance to the state. Ten years later, a one thousand dollar bond had to be given as a guarantee against becoming a public charge in addition to the freedom certificate.²¹ While the state's chronic need for money may have been a motivating factor in the size

of the bond, the main objective was to exclude free Negroes from the state altogether without specifically saying so.²² The great majority of black immigrants, whether freemen or fugitive slaves, simply ignored this law. Few men, regardless of color, possessed one thousand dollars in a state where land at any price was considered expensive. The ineffectiveness of the measure was further demonstrated two years later when an unsuccessful proposal was debated in the legislature which aimed to eliminate black immigration altogether.²³ Even attempts to return runaway slaves and indentured servants met with failure as the number of repeated advertisements for the delinquents' return indicated.²⁴ As the free Negro population increased, the severity of the black laws rose accordingly as if by calculation. Indeed, the entire "plan" seemed "to have been intended to drive free negroes into voluntary indenture."²⁵ As a result, black freemen would be in actual practice what they already were in the statute books, the equivalent of chattel slave property. Instead of peddling in human flesh, the contracts of indentured servants were bought and sold by the Illinois equivalent of slaveholders. In this way, the disquieting unrepblican presence of Illinois' free Negroes could be eliminated without offending northern

ideological standards or southern demands for real protection of the social order. Therefore, Illinoisans from all sections of the state approved of the black laws because the measures offered something for all white citizens. As Governor Ford reminded his readers, "when we consider the importance, for the purposes of harmony and good government, of preserving a homogeneous character amongst the people," the separation of the races was indeed a "wise" objective.²⁶

Free blacks suffered greatly under the black laws. Those freemen who had dreams of freedom in a paternalistic setting or a southern society without slavery, were quickly disillusioned. If no white person had a pecuniary interest in him, the black freeman was left to his own resources which were meager indeed. For the more observant bondsmen, emancipation in Illinois could be a dreaded fate as shown by Edward Coles' newly freed slaves' frightful remonstrances for protection in 1819.²⁷

Whether because of racial prejudice, lack of skills, or lack of money, black freemen remained a dependent class in ante-bellum Illinois. The few exceptional free blacks who triumphed over all adversity still required the approval and support of the dominant caste. For example, George Washington, a free Negro from Otter Creek, was

educated and left an endowment by his former master. Although "independently" wealthy, Washington needed the support of friendly white neighbors to protect himself from unscrupulous and hostile tormentors.²⁸ "Free Frank" McWhorter, Illinois' most successful black pioneer, could have accomplished little without the support of an influential Pike County political figure.²⁹ Even though he acquired a substantial fortune used to purchase various family members enslaved in the South, and although he founded the town of New Philadelphia, McWhorter could not protect himself from white claim-jumpers because the black laws prohibited the testimony of a Negro in a court case involving a white man. Only with the aid of powerful white friends could "Free Frank" retain his property.

If life was trying for relatively prosperous black farmers like George Washington and Frank McWhorter, the existence of the poor rural free Negro hung in a precarious balance between freedom and bondage. Often ignored and isolated, rural black freemen provided easy targets for unscrupulous kidnappers. These pirates of human booty prowled the countryside along the Ohio and Mississippi Rivers in the vicinities of Shawneetown and Illinoistown (now East St. Louis), both of which contained substantial black populations.³⁰ This odious practice was loudly

condemned by public officials, but in the first years after statehood, the legislature's actions on the problem were confined to the issuance of platitudes encouraging stricter enforcement of the laws. The black laws, however, actually encouraged kidnapping by preventing black victims from pressing charges against white men in Illinois courts.³¹ Moreover, the freedom certificates could be "misplaced" or destroyed with ease, thus making free blacks subject to the fugitive slave laws. The few rural free Negroes fortunate enough to find employment often found themselves the objects of conflict and acrimonious court battles between their employers and suspicious whites.³²

The towns offered some protection from sudden reenslavement, but economic and social life remained severely proscribed. Although the unemployment rates in 1850 and 1860 for blacks in northern Illinois counties were less than those in the southern regions, the overall economic picture was one of poverty.³³ Urban and rural free Negroes seldom held the titles to the lands on which they lived and claimed little or no personal property.³⁴ Work, when it was obtained, consisted of manual labor, service occupations, and the menial tasks which became associated with the term "traditional" Negro careers.

Like rural free blacks, a few notable examples of extraordinary accomplishment existed in the urban setting. William Flourville, a mulatto immigrant from the West Indies, owned and operated a barber shop in Springfield. He eventually emerged as the spokesman for the black community and became the acknowledged liaison with the city's influential whites. Among "Billy the Barber's" clients were lawyers like Abraham Lincoln, who provided legal advice in exchange for barbering services.³⁵ Flourville accumulated a substantial fortune, but it was clear that he depended upon his reputation as a "good" Negro in order to maintain his somewhat lofty stature. Without white patronage his shop would certainly have failed and his standing in the eyes of whites would have unquestionably been diminished. In addition, none of his land holdings could have been legalized without the aid of white lawyers like Lincoln, who represented Flourville in court proceedings.

John L. Jones of Chicago, like Flourville, presented a remarkable success story that was tempered by the lack of republican rights and equality. A tailor in a town of substantial abolitionist tendencies, Jones became the leader of Chicago's Negro community. In the 1850's, he represented Illinois blacks at a colored convention held

in Cleveland, Ohio, and was chosen by Negro delegates to be the chairman of the black convention held in Alton in 1856, where he launched a campaign to abolish the black laws.³⁶ In spite of his considerable accomplishments, Jones, too, depended upon the sufferance and patronage of whites. His tactics, which would have brought swift reprisals in virtually any other town in the state, were perfectly suited for a tolerant northern city like Chicago. In addition, his business could never have survived without white patronage.

In both rural and urban settings, therefore, classical republican values were denied in free Negroes. First, there was the glaring black unemployment problem. Although it was due to forces beyond the control of black freemen, the lack of gainful work was accepted as conclusive proof of anti-republican subversion in terms of laziness, immorality, and a total abrogation of individual responsibility. Such people became burdens to the republic and dependent upon public support. In order to combat this drain on tax money which could be better spent on items beneficial to the society at large, bonds were required to guard against the introduction of slovenly Negroes into the state. Significantly, in virtually every measure enacted to curtail or prohibit immigration into Illinois, a clause was

included which specified that proceeds from bonds or fines were to be used to defray the counties' costs in supporting their charges.³⁷

Secondly, not only were poor black freemen not independent, but the more economically advanced Negroes still exhibited a marked degree of dependency upon the dominant white caste. Their very survival and livelihood were inextricably linked to the paternal tolerance and patronage of white friends and sympathizers. No matter how much money they earned, how unimpeachable a reputation they achieved, or how educated they became, free Negroes could never achieve the virtuous standing of independent, valuable contributors to the maintenance of the glorious ideal of the American republic.

Third, free Negroes in Illinois violated the sacred rule dictating that a true republican society had to possess a homogeneous and egalitarian nature. Not only were free blacks racially different, but they tended to draw apart from the mainstream of society and, where their numbers could support them, to create their own institutions. This trend was particularly evident in urban areas, where separate black churches, schools, and fraternal organizations emerged.³⁸ This self-segregation was a means of self-preservation, but suspicious whites viewed the

phenomenon as a conspiracy to undermine republican homogeneity and the harmony of the social order.

To this complex picture, Illinoisans applied the dualism of republican theory and frontier practicality. The most accepted solution to the free Negro problem was obviously physical exclusion from the state. Republican ideology offered no guidelines on how this end could be achieved. It was at this precise point that the sectional variations of republicanism in the North and the Upper South came into play. Men from northern Illinois held that Negroes could enter Illinois, but they would not encourage free blacks to do so, and expected them to eventually depart for friendlier areas. Segregation and mild versions of the black laws would be sufficient to ensure this goal. Residents of southern Illinois did not have such patience. Free Negroes presented a critical danger that could not wait for an eventual hoped-for emigration. An immediate cessation to free black immigration was the first step; a complete elimination of that degraded population was the final goal. For a time, the two sections agreed upon the practical methods of controlling Illinois' free colored population. The ideological republican plane remained separated from the reality of mild black laws. A chasm of silence allowed the

inconsistency between theoretical freedom and the actual proscribed liberty of free Negroes to remain unchallenged.

The delicate silence was shattered by black freemen themselves. The black laws had no appreciable effect on their presence in the state. Stories circulated about slave insurrections, especially after the Nat Turner nightmare in 1831. States surrounding Illinois were enacting laws to prohibit the immigration of free blacks into their territories, while Illinois, sharing two long accessible borders with the slave states of Kentucky and Missouri, had no such laws. As an ever increasing number of free Negroes settled in the lower half of the state, the white residents of southern Illinois grew restless. They found it necessary to enact ever more stringent measures that smacked of the vestiges of slavery so anathema to the ideological sensibilities of northern Illinoisans. Each of these attempts acted to pull the planes of ideology and practicality together and thereby force the exposure of their inherent differences.

The first of these attempts occurred in the early 1820's in the form of a blatant attempt by influential southern Illinois politicians, never totally reconciled to the Constitution of 1818, to reinstate slavery.³⁹ By circuitous means, this group manipulated the composition of

the General Assembly to acquire a majority that called for a convention to draft a pro-slavery constitution. A year later, in 1825, the convention proposal was presented for the voters' approval. The anti-slavery forces assailed the plan as a sinister attempt to violate the fundamental principles under which Illinois had been admitted to the Union in 1818. Northern newcomers had no intention of seeing Illinois become a slave state whether or not such a situation meant a large influx of free Negroes. Even some southerners found the convention proposal ideologically unpalatable. The cheapening effect of the peculiar institution on free labor and freeholding was one of the reasons they had migrated northward, and they had no desire to endure a repeat performance of that deplorable condition. Free Negroes presented a danger, but slavery created more problems than it solved. Although men of northern origin comprised a minority of the voters, the convention proposal was decisively rejected.⁴⁰

The second major exposure of the plan involved the colonization of free Negroes in Africa or the West Indies. The resettlement schemes of the American Colonization Society appealed strongly to the homogeneous facet of republican ideology.⁴¹ Furthermore, colonization contained the attractive feature of appearing to be voluntary.

Gentle, not violent, persuasion was the dominant technique. Free Negroes were advised to settle in Liberia for their own good and for the benefits of civilization that they would transplant on the "Dark Continent."

Colonization, however, had three distinct drawbacks. First, many free Negroes had no intention of leaving their American homeland for unknown wilds. It was far better to suffer oppression in a familiar land than to perish in oblivion.⁴² This black intransigence infuriated many whites, including some abolitionists, who assumed that newly freed bondsmen would gratefully leave the country in search of a country more compatible to their race.⁴³ In addition to the colored people's lack of enthusiasm, the effectiveness of the colonization schemes also suffered from a lack of money and coordination. Hence free Negroes who "volunteered" to be resettled because they were "doing no good," found it difficult to leave the country.⁴⁴ The end product of the colonizationists' labors led to the uncomfortable conclusion that although resettlement presented an ideologically acceptable means of achieving republican homogeneity, only optimistic visionaries could believe that it offered any practical solution to the free Negro problem.

Secondly, and probably more significantly, the colonization solution became the victim of a growing tendency, especially among northerners, to perceive the slavery problem in a moral light. Although in a minority, vocal abolitionists accused colonization advocates of actually assisting slaveholders by removing a dreaded source of anti-slavery agitation.⁴⁵ Ironically, colonization was condemned as anti-republican because it assisted in the perpetuation of the immoral peculiar institution, thereby offending the valued principles of free labor, hard work, and personal independence.

Finally, the resettlement schemes committed the fatal transgression of bridging the gulf between theoretical republicanism and social practicality. By its very nature, colonization focused attention on the free Negro dilemma. In other words, how could men oppose slavery on the one hand and be even more hostile to the results of emancipation on the other? In an amoral context, this question raised serious doubts about social and ideological consistencies; in combination with the searing light of moral scrutiny, colonization, like the failed pro-slavery convention proposal of 1825, totally offended the principles of a virtuous republic. Unable to withstand the illuminating force of the convergence of ideological and

practical planes, colonization died an ignominious death of discredited impracticality.

Since neither colonization nor the reinstitution of slavery offered a viable solution to the free Negro problem without offending the dualistic modus vivendi, worried southern Illinoisans promoted the enactment of an effective black anti-immigration law. In the 1847 Constitutional Convention, they saw the chance to make their proposals a reality, and seized the initiative. On June 24, 1847, Benjamin Bond from Clinton County proposed an article that prohibited free Negroes from immigrating to the state and banned slaveholders from releasing their bondsmen in the state.⁴⁶ A compromise proposal was subsequently offered which required the first session of the General Assembly to pass an "effectual" anti-immigration law. Horrified delegates from northern counties objected to the proposal as a violation of the federal Constitution's guarantee of rights and privileges in all of the states. The proponents of Article XIV countered that since the voting age was regulated by each individual state, Illinois had a perfect right to govern its own territory as it saw fit.⁴⁷ The northerners asked if Article XIV was really necessary, in view of the small numbers of free Negroes in the state, and suggested that the proposal's harshness was

reminiscent of that anti-republican horror, slavery. Southern delegates shot back with the fact that "green" northerners could afford to hold such ideological scruples since they did not have to endure the offensive presence of lazy, superannuated, wicked, and "good for nothing" Negroes.⁴⁸ After tempers had cooled, proponents of Article XIV gathered their forces and won approval despite warnings that the citizens of northern counties would never approve it.

More astute delegates and cynical observers, however, realized that Article XIV represented only a minor victory. The proposal's advocates had won the battle but not the war and their spoils included a pandora's box. The convention had merely shoved the responsibility for finding a solution to the free Negro problem onto the legislature where an infinite maze of special interests could delay its solution.⁴⁹ The first session of the General Assembly under the Constitution of 1848 promptly confirmed the cynics' worst predictions. Even though an overwhelming majority of Illinois citizens approved of Article XIV, the lawmakers were quite timid. They tended to split along geographical lines, with the central counties holding the balance. A Negro anti-immigration bill was narrowly defeated in 1849. Not until 1853, by the use of surprise tactics, was the

legislature able to pass an anti-immigration act. The law raised a storm of protest and its comparison with the federal Fugitive Slave Act of 1850 could hardly go unnoticed. The Anti-Immigration Act provided that any Negro who remained in the state for more than ten days was subject to arrest, advertisement as a fugitive, and, remaining unclaimed, was to be sold at public auction for a maximum of one year's labor.⁵⁰ In effect, a system of forced labor was created.⁵¹ In addition, the infamous 1850 Fugitive Slave Act forced free Negroes from the state, not by gentle persuasion, but by fear of sudden reenslavement.⁵² Such extreme measures and the atrocities that would inevitably ensue caused the chasm separating the planes of ideology and reality to close. A virtuous republic could not permit people, no matter what their color, to be snatched off its streets and thrown into chains. These laws merely extended the peculiar institution northward and therefore cheapened and even threatened the republican values of personal independence and free labor. Although both of the state's major political parties, the Democrats and the Whigs, gave grudging approval to the Fugitive Slave Act as a necessary part of the Compromise of 1850, many people were not so generous. Ministers, who had previously remained silent on the Negro issue, and even free blacks themselves joined

anti-slavery men in villifying the 1850 and 1853 acts.⁵³ While the Chicago city council called for an outright disregard of the Fugitive Slave Act by the local police force, the law's effectiveness, like that of the Anti-Immigration Act, was probably limited.⁵⁴ By so greatly countering republican ideology, it supplied the arsenal of protest and agitation rather than actually providing a solution to the black problem.

Failing all else, the men of the frontier resorted to violence to solve their immediate Negro problem.⁵⁵ A white mob in Cairo, and later in Mound City, attempted to drive free Negroes out of their towns.⁵⁶ Even though such action spread to nearby towns, census figures indicate that most of the black community remained.⁵⁷ In addition to being a practical failure, violence completely ignored republican values. Free Negroes were, after all, "free" to leave the state, but the exercise of such freedom must be an exercise of republican voluntarism and not autocratic coercion.

All of Illinois' attempts to deal with the free Negro dilemma ended in failure because they offended the dualism that governed the social order. Every civilized society has a code of idealistic principles and a means of putting them into practice. In ante-bellum Illinois, the execution of those principles with regard to the free Negro was

colored by sectional differences in the interpretation of republican ideals. The people of the state generally agreed that the presence of black freemen was undesirable, but disagreed on the methods required to achieve the desired restoration of the classical republican characteristics of personal independence, egalitarianism, economic mobility, hard work, and a homogeneous society--factors that were alien to free Negroes in the eyes of whites. The many solutions to the disparity between republican theory and practice failed in ante-bellum Illinois and, in many ways, the gap remains with us still.

FOOTNOTES

¹Ameda Ruth King, "The Last Years of the Whig Party in Illinois, 1847-1856." Transactions of the Illinois State Historical Society 32 (1925):135-136.

²Juliet E. K. Walker, Free Frank: A Black Pioneer on the Antebellum Frontier (Lexington, Ky.: The University Press of Kentucky, 1983), p. 100.

³E. Franklin Frazier, The Free Negro Family (New York: Arno Press and the New York Times, 1968), p. 10.

⁴Bessie Louise Pierce, A History of Chicago: From Town to City, 1848-1871, vol. II (New York: Alfred A. Knopf, 1940), p. 11.

⁵United States Bureau of the Census, Statistical View of the United States. Compendium of the Seventh Census (Washington, D.C.: Beverley Tucker, Senate Printer, 1854), pp. 64-65.

⁶Arvah E. Strickland, "The Illinois Background of Lincoln's Attitude toward Slavery and the Free Negro." Journal of the Illinois State Historical Society 56 (Autumn 1963):475.

⁷William V. Pooley, The Settlement of Illinois from 1830-1850. Bulletin of the University of Wisconsin. History Series, no. 1 (Madison, Wis.: University of Wisconsin Press, 1908), p. 247.

⁸Ira Berlin, "The Structure of the Free Negro Caste in the Antebellum United States." Journal of Social History 9 (Spring 1976):300.

⁹David M. Streifford, "The American Colonization Society: An Application of Republican Ideology to Early American Reform." Journal of Southern History 45 (May 1979): 203,210.

¹⁰Pooley, p. 247; Edward M. West of Edwardsville referred to this reason in the Constitutional Convention of 1847, Illinois State Historical Library, Constitutional Debates of 1847, Collections of the Illinois State Historical Library, Vol. XIV. Constitutional series, Vol. 11 (Springfield: Illinois State Historical Library, 1919), p. 218; James Washington Singleton, another convention delegate, intoned it was a "duty" to keep blacks out of Illinois, Ibid., 224; for a contrary opinion on the importance of geographical origin see Walker, p. 79.

¹¹Berlin, p. 306.

¹²House Journal, 1824-25, p. 13 quoted in Arthur Clinton Boggess, Settlement of Illinois, 1778-1830. (Chicago: Chicago Historical Society, 1908), p. 186.

¹³Thomas Ford, A History of Illinois. Lakeside Classics edition, Vol. II (Chicago: R.R. Donnelley & Sons Co., 1945), p. 30.

¹⁴Eudora Ramsay Richardson, "The Virginian Who Made Illinois a Free State." Journal of the Illinois State Historical Society. 45 (Spring 1952):12.

¹⁵Carter G. Woodson, The Mind of the Negro as Reflected in Letters During the Crisis, 1800-1860 (Washington, D.C.: Associated Press, 1962), p. 2.

¹⁶Norman Dwight Harris, History of Negro Servitude in Illinois and of the Slavery Agitation in That State (Chicago: A. C. McClurg, 1906), p. 226.

¹⁷Elmer Gertz, "The Black Laws of Illinois." Journal of the Illinois State Historical Society. 56 (Autumn 1963):462.

¹⁸Mason McCloud Fishback, "Illinois Legislation on Slavery and Free Negroes, 1818-1865." Transactions of the Illinois State Historical Society 9 (1904):417.

¹⁹"Act on Negroes," Illinois Statutes, 1829 cited in Harris, History of Negro Servitude in Illinois, p. 226; "An Act Concerning Practice," Illinois Statutes, 1827 cited in Ibid., pp. 226-227; Ibid., 188-189.

²⁰Fishback, p. 422; a typical white reaction to intermarriage and ultimate racial social equality was expressed by William C. Kinney of Belleville in the 1847 Constitutional Convention, Illinois State Historical Library, Constitutional Debates of 1847, p. 217.

²¹Ibid.

²²Fishback, p. 423.

²³Ibid.

²⁴Norman Dwight Harris, Negro Servitude in Illinois. Transactions of the Illinois State Historical Society 11 (1906):52.

²⁵John W. Allen, "Slavery and Negro Servitude in Pope County, Illinois." Journal of the Illinois State Historical Society 42 (December 1949):413.

²⁶Ford, p. 30.

²⁷Elihu B. Washburne, Sketch of Edward Coles (Chicago: Jansen, McClurg and Company, 1881). p. 50.

²⁸Oscar B. Hamilton, "A Sketch of the Life of George Washington, Colored," Journal of the Illinois State Historical Society 3 (October 1910):48-52; Sylvestre C. Watkins, Sr., "Some of Illinois' Free Negroes." Journal of the Illinois State Historical Society 56 (Autumn 1963):497.

²⁹Walker, p. 112; Watkins, p. 499.

³⁰Walker, pp. 72,76; Illinois Daily Journal, April 23, 1849, cited in King, p. 137; Norman Dwight Harris, "Negro Servitude in Illinois." Transactions of the State Historical Society 11 (1906):52.

³¹For examples of kidnapping see W. Sherman Savage, "The Contest Over Slavery Between Illinois and Missouri." Journal of Negro History 28 (July 1943):318; Walker, p. 72; Fishback, p. 419.

³²Morris Birkbeck and George Flower, History of English Settlement in Edwards County, Illinois Founded in 1817 and 1818 (Chicago: Fergus Printing Company, 1882, pp. 260-261; other examples of rural free blacks in hostile and isolated living conditions are in James W. Dorsey, Up South: Blacks in Chicago's Suburbs, 1719-1983 (North Chicago, Illinois: By the Author, 1983, p. 35; Mentor L. Williams, "A Tour of Illinois in 1842." Journal of the Illinois State Historical Society 42 (September 1949):308; Upton Swingley, "Gold Rush Fever Hits Mount Morris." Journal of the Illinois State Historical Society 42 (December 1949):458.

³³Charles Noye Zucker, "The Free Negro Question: Race Relations in Ante-Bellum Illinois, 1801-1860." Ph.D. Dissertation (Northwestern University, 1972), p. 324.

³⁴Ibid.; see Walker, pp. 86, 113.

³⁵Strickland, p. 493; Watkins, p. 500.

³⁶Watkins, p. 504; for other examples of urban free Negro conditions see Clarissa Emely Gear Hobbs, "Autobiography of Clarissa Emely Gear Hobbs." Journal of the Illinois State Historical Society 17 (October 1924):638-639; John F. Snyder, "Pen Portrait of a Governor." Journal of the Illinois State Historical Society 38 (March 1945):122-123; George Manierre, "The Manierre Family in Early Chicago History." Journal of the Illinois State Historical Society 8 (October 1918):448; Albert E. Ebert, "Early History of the Drug Trade of Chicago." Transactions of the Illinois State Historical Society 8 (1903):249.

³⁷The fear of dependent free Negroes overrunning the state was stated by Edward Coles in the African Repository, III, pp. 25-26 cited in Phillip J. Staudenraus, The American Colonization Society, 1816-1865 (New York: Columbia University Press, 1961), p. 143-144.

³⁸Walker, p. 115; Zucker, p. 339; Pierce, p. 363; Miles Mark Fisher, "Negro Churches in Illinois: A Fragmentary History with Emphasis on Chicago." Journal of the Illinois State Historical Society 56 (Autumn 1963):554.

³⁹Strickland, p. 488.

⁴⁰Bogges, p. 183.

⁴¹For the sentiment of a leading colonizationist in Illinois, see the speech by Cyrus Edwards in African Repository and Colonial Journal, 1831-2, pp. 97-109 quoted in Merton Lynn Dillon, "The Anti-Slavery Movement in Illinois, 1824-1835." Journal of the Illinois State Historical Society 47 (Spring 1954):161; also see comments by Daniel Pope Cook in Edwardsville Spectator, 16 May 1820, quoted in Dillon, p. 154; Journal of the Illinois Senate 1828, pp. 182-183 cited in Dillon, p. 156.

⁴²An example of black objections to colonization was that of Rev. Ball of Black Baptist Associates of Springfield cited in Zucker, p. 318; see also Pike County Free Press, 7 October 1847, quoted in Walker, p. 151.

⁴³Northwestern Christian Advocate, 16 March 1853, contained an editorial threatening to withdraw support from the African Methodist Church quoted in Pierce, p. 383; Arthur Charles Cole, The Era of the Civil War, 1848-1870. The Centennial History of Illinois. Vol. III (Springfield: Illinois Centennial Commission, 1919), p. 227.

⁴⁴See letter by Daniel Strother to American Colonization Society written on 18 October 1848, in Woodson, p. 91; for example, see the attempt by George Flower to resettle Negroes in Haiti in June 1823, cited in Dillon, p. 158; for the objections to the compulsory nature of some colonization schemes see Dillon, p. 157.

⁴⁵For the dangers of Negroes in slavery, see the opinion of Morris Birkbeck in Dillon, p. 155; see also Ruth Ewers Haberkorn, "Owen Lovejoy in Princeton, Illinois." Journal of the Illinois State Historical Society 36 (September 1943):303-304 for the beliefs of Owen Lovejoy.

⁴⁶Illinois State Historical Library, Constitutional Debates of 1847, pp. 201-202.

⁴⁷The delegate from Joliet, Jesse Olds Norton, brought up the constitutional question and claimed that rights and privileges were not based on color. His minority viewpoint was subsequently refuted by delegates from southern Illinois, *Ibid.*, p. 210; for the southern viewpoint, see Kinney, *Ibid.*, p. 216.

⁴⁸See speech by Gilbert Turnbull of Warren County, *Ibid.*, p. 208; also James M. Davis representing Bond and Montgomery Counties, *Ibid.*, p. 212; also see Stephen Augustus Hurlbut, *Ibid.*, p. 215; also Kinney, *Ibid.*, p. 216.

⁴⁹The delegate from Shelbyville, Anthony Thornton, proposed an amendment to require the legislature to act on the free negro immigration question, *Ibid.*, p. 210.

⁵⁰Harris, A History of Negro Servitude in Illinois, p. 188.

⁵¹For an example of a Negro who escaped the penalties of the 1853 act see Cole, p. 226.

⁵²The mild reactions of the state's political parties were expressed in their respective newspapers. For the Whigs see Illinois Daily Journal, 26 June 1852, and for the Democrats see the Alton Telegraph, 7 May 1852 cited in King, p. 139.

⁵³Zucker, p. 343; Cole, p. 227; for a more militant example of protest in the form of the Knights of Tabor see Dorsey, pp. 38-39; Watkins, p. 502; Illinois State Register, 10 October 1850 quoted in King, p. 138; Howard H. Bell, "Expressions of Negro Militancy in the North, 1840-1860." Journal of Negro History 45 (January 1960):15-16, 18; Fisher, p. 555

⁵⁴For other examples of evasion of the Fugitive Slave Law in Illinois see Walker, p. 149-150; Savage, p. 320.

⁵⁵For a discussion of the frontier's racial hostility and the resulting tension see Walker, p. 110; for a discussion of the frontier tendency to solve problems with violence see Donald F. Tingley, ed., Essays in Illinois History (Carbondale and Edwardsville, Ill.: Southern Illinois University Press, 1968), pp. 4, 8; see also Belleville Advocate, 4 March 1853, quoted in Zucker, p. 315.

⁵⁶Mound City Emporium, 30 July 1857 cited in Zucker, p. 320

⁵⁷Ibid.

APPENDIX

TABLE 1

FREE BLACK POPULATION OF SOUTHERN ILLINOIS RIVER COUNTIES

County	1820	1830	1840	1850	1860
Edwards	15	40	43	34	75
Gallatin	28	282	671	353	426
Hamilton			17	52	66
Hardin			35	79	55
Jersey			20	54	109
Madison	17	93	333	449	562
Monroe	10	3	70	46	17
Pope	34	59	68	104	96
Randolph	84	152	184	383	439
St. Clair	82	211	401	581	525
Union	0	31	26	45	36
Total	270	871	2,101	2,351	2,406
STATE TOTAL	457	1,637	3,598	5,436	7,628
% of Total	59.1%	53.2%	50.9%	38.6%	30.8%

TABLE 2
FREE BLACK POPULATION OF SELECTED NORTHERN
AND INTERIOR ILLINOIS COUNTIES

County	1820	1830	1840	1850	1860
Clinton			111	137	212
Cook			55	378	1,007
Edgar		15	44	52	37
Fayette		11	66	48	43
Greene		31	50	60	26
Iroquois			4	79	40
JoDaviess		33	134	218	178
Knox		0	4	82	151
Lake			6	39	9
McLean			9	42	192
Macoupin		0	35	83	98
Morgan		32	68	125	175
Sangamon		34	169	253	311
Shelby		0	26	45	23
Tazewell		11	20	33	43
White	19	106	62	109	129
Will			10	33	57
Williamson			29	67	118

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